

**From:** [Miller, Patricia G.](#)  
**To:** [Richard S. Davis](#)  
**Cc:** [Bruno, Jodi](#)  
**Subject:** RE: Section 308 Information Request of Denali Solid Solutions  
**Date:** Monday, September 30, 2019 11:31:00 AM

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Mr. Davis;

Jodi Bruno and I would be happy to talk to you about the information request. We are available Tuesday afternoon between 1:00 and 3:00 Central (2:00 and 4:00 Eastern). Would a call within that time period work for you? If not, please let us know what your availability is on Wednesday and Thursday.

Thanks, Pat

Patricia Gillispie Miller  
Senior Counsel  
Office of Regional Counsel  
US EPA, Region 7  
11201 Renner Blvd.  
Lenexa, Kansas 66219

Phone: 913-551-7283

Fax: 913-551-7925

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**From:** Richard S. Davis <RDavis@bdlaw.com>  
**Sent:** Friday, September 27, 2019 2:21 PM  
**To:** Bruno, Jodi <Bruno.Jodi@epa.gov>  
**Cc:** Miller, Patricia G. <Miller.Patriciag@epa.gov>; Richard S. Davis <RDavis@bdlaw.com>  
**Subject:** RE: Section 308 Information Request of Denali Solid Solutions

Jodi and Patricia,

I wonder if we might set up a call on Monday to discuss the sampling request incorporated in the Section 308 information request. We have some questions about the feasibility and fit of this request given the characteristics of the land in question and I would like to discuss those with you. My day on Monday is relatively open so please pick whatever time is best for you.

Many thanks, and have a great weekend.

Richard

**Richard S. Davis**  
Principal

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**From:** Bruno, Jodi <[Bruno.Jodi@epa.gov](mailto:Bruno.Jodi@epa.gov)>  
**Sent:** Thursday, September 19, 2019 9:51 AM  
**To:** Richard S. Davis <[RDavis@bdlaw.com](mailto:RDavis@bdlaw.com)>  
**Cc:** Miller, Patricia G. <[Miller.Patriciag@epa.gov](mailto:Miller.Patriciag@epa.gov)>  
**Subject:** RE: Section 308 Information Request of Denali Solid Solutions

Mr. Davis,

You can contact Patricia Miller. Her contact information is below.

Patricia Gillispie Miller  
Office of Regional Counsel  
US EPA, Region 7  
11201 Renner Blvd.  
Lenexa, Kansas 66219  
Phone: 913-551-7283  
[Miller.Patriciag@epa.gov](mailto:Miller.Patriciag@epa.gov)

Thank you,

Jodi

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**From:** Richard S. Davis <[RDavis@bdlaw.com](mailto:RDavis@bdlaw.com)>  
**Sent:** Wednesday, September 18, 2019 6:09 PM  
**To:** Bruno, Jodi <[Bruno.Jodi@epa.gov](mailto:Bruno.Jodi@epa.gov)>  
**Cc:** Richard S. Davis <[RDavis@bdlaw.com](mailto:RDavis@bdlaw.com)>  
**Subject:** RE: Section 308 Information Request of Denali Solid Solutions

Ms. Bruno,

Many thanks. We will get to work on assembling our first tranche of documents and look forward to delivering on all three as described below. If file size is an issue we have a dedicated FTP site through which I can forward you a link from which you can download large files. We have used this facility before in responding to Section 308 requests and it has worked admirably.

Again, many thanks and I look forward to working with you. Please, if there is counsel there to whom I also ought to be directing my correspondence, shoot me their contact information and I will include them going forward.

Regards,

Richard

**Richard S. Davis**

Principal

**BEVERIDGE & DIAMOND PC**

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**From:** Bruno, Jodi <[Bruno.Jodi@epa.gov](mailto:Bruno.Jodi@epa.gov)>

**Sent:** Wednesday, September 18, 2019 2:19 PM

**To:** Richard S. Davis <[RDavis@bdlaw.com](mailto:RDavis@bdlaw.com)>

**Subject:** RE: Section 308 Information Request of Denali Solid Solutions

Good afternoon Mr. Davis,

EPA has received your requests for an extension to respond to the Request for Information dated August 15, 2019. EPA is hereby granting an extension in accordance with the schedule outlined below. Responses are due to EPA on or before October 11; October 25; and November 8. EPA's email system allows attachments up to 15 MB. If multiple emails need to be sent for one response, please indicate how many emails are sent (i.e. message 1 of 3). Documents can also be submitted on a flash drive or a CD.

If you have any questions, please let me know.

Jodi Bruno

Biosolids Coordinator

Biosolids Enforcement Center, EPA Region 7

11201 Renner Boulevard

Lenexa, KS 66219

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**From:** Richard S. Davis <[RDavis@bdlaw.com](mailto:RDavis@bdlaw.com)>

**Sent:** Wednesday, September 18, 2019 8:32 AM

**To:** Bruno, Jodi <[Bruno.Jodi@epa.gov](mailto:Bruno.Jodi@epa.gov)>

**Cc:** Hilary T. Jacobs <[HJacobs@bdlaw.com](mailto:HJacobs@bdlaw.com)>; Richard S. Davis <[RDavis@bdlaw.com](mailto:RDavis@bdlaw.com)>

**Subject:** Section 308 Information Request of Denali Solid Solutions

Jodi,

Regrettably, I have missed you twice by phone this week although I have been able to leave voice messages both times. While I still very much hope to speak in person before the end of the week, I think it is important to make a start by email.

Our firm was recently retained by Denali Solid Solutions to assist it in responding to the Region's August 15, 2019 information request pursuant to Section 308 (copy attached). We have begun digging into the document set and the company's collection of responsive documents to date and I

would like to propose a slightly extended version of the current return date of September 20. Our thought is that the company could produce annual reports, which contain virtually all of the information requested, along with lab sheets from the generating POTWs, in tranches covering two years each. That is, those records for the years 2014 and 2015 would be delivered on October 11; the 2016 and 2017 materials, along with soil sample results from Desert Ridge Farms, would be delivered two weeks later, on October 25; and the final set of annual reports and POTW lab records covering 2018 and 2019 to date would be delivered on November 8. My understanding is that each of these three document sets is expected to run between 500 and 700 pages in length. If additional, more granular records are needed after the Region has reviewed these initial materials, we could then establish a schedule for recovery and production of those materials.

This is a lot to digest and I would very much like to discuss it with you by phone, but with the nominal return rate rushing at us I thought it was best to at least sketch out the path forward that we would propose.

Please drop me a line and let me know when would be a good time in the next day or two to speak? I am conducting interviews in an internal investigation in the Central Time Zone, but will make arrangements to step away from those to speak with you at a time convenient on your end.

Many thanks.

Richard

**Richard S. Davis**  
Principal



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